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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**(Use as many sheets as necessary)**

Sheet	1	of	5
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**Complete if Known**

Application Number	10/813,747
Filing Date	March 29, 2004
First Named Inventor	Simmons et al.
Art Unit	1644
Examiner Name	M. Belyavskiy
Attorney Docket Number	75990-B /JPW/BJA/LM

## U. S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
	3	WO 00/006701	02-10-00	Mickle et al.		
	4	WO 02/007679	01-31-02	Shi et al.		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Applicant: Simmons et al.  
Serial No.: 10/813,747  
Filed: March 29, 2004  
**Exhibit A**

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Art Unit	1644
Examiner Name	M. Belyavskyi
Attorney Docket Number	75990-B/JPW/BJA/LM

Sheet

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of

5

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	5	Barry, M. (2003) "Biology and Clinical Applications...Stem Cells." Birth Defect Research (Part C) 69:250-256.	
	6	Cassiede, P. et al. (1996) "Osteochondrogenic Potential of Marrow Mesenchymal Progenitor Cells Exposed to ..." Journal of Bone and Mineral Research Vol. 11(9):1264-1273.	
	7	Chopp, M. and Li, Y. (2002) "Treatment of Neural Injury with Marrow Stromal Cells." The Lancet Neurology 1:92-100.	
	8	Dennis JE, et al. (2002), "The STRO-1+ Marrow Cell Population is Multipotential," Cells Tissues Organs, 170:73-82.	
	9	Finney, M.R. et al. (2006), "Direct Comparison of Umbilical Cord Blood versus Bone Marrow-Derived Endothelial Precursor ...," Biol. Blood and Marrow Transplant. 12:585-593	
	10	Fujii, S. et al. (2008), "Investigating a Clonal Human Periodontal Ligament Progenitor/Stem Cell Line in Vitro and In Vivo," J. Cell. Physiol. 215:743-749	
	11	Greenberger, J. and Keating, A. (1996) "The Hematopoietic Microenvironment." Keystone Symposium, Taos, New Mexico 14:366-367.	
	12	Gronthos et al. (1996) "The Biology and and Application of Human Bone Marrow Stromal Cell Precursors." Journal of Hematotherapy 5(1): 15-23 (Abstract).	
	13	Hoerstrup SP et al. (2002), "Tissue Engineering of Functional Trileaflet Heart Valves from Human Marrow Stromal Cells." Circulation 106(Suppl):I-143-150.	
	14	Kang Yong Jung et al. (2004) "Involvement of PI-3-kinase, JNK, PKC, and PKA in the PDGF-induced...mesenchymal stem cells." Vol. 18(8) C253.	

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Sheet <b>3</b> of <b>5</b>	<b>Application Number</b>	10/813,747
	<b>Filing Date</b>	March 29, 2004
	<b>First Named Inventor</b>	Simmons et al.
	<b>Art Unit</b>	1644
	<b>Examiner Name</b>	M. Belyavskiy
	<b>Attorney Docket Number</b>	75990-B/JPW/BJA/LM

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	15	Kassem, M. (2004) "Mesenchymal Stem Cells: Biological Characteristics and Potential Clinical Applications." Cloning Stem Cells 6:369-374.	
	16	Le Blanc, K. and Ringden, O. (2005) "Immunobiology of Human Mesenchymal Stem Cells and Future Use in Hematopoietic ..." Biology of Blood and Marrow Transplantation 11:321-33	
	17	Murray et al. (1996) "Fetal Bone Marrow CD34+CD41+ Cells are Enriched for Multipotent Hematopoietic Progenitors..." Exp. Hematol. 24:236-245.	
	18	Pan, Beiqing et al. (2004) "The nitrogen-containing bisphosphonate, zaledronic acid, increases mineralisation of human bone-derived cells in vitro." Bone 34:112-123.	
	19	Summer, R. and Fine, A. (2008) "Mesenchymal Progenitor Cell Research: Limitations and Recommendations," Proc. Am. Thorac. Soc. 5:707-710.	
	20	Yang XV, et al. (2006), "Evaluation of Human Bone Marrow Stromal Cell Growth on Biodegradable ...," Biochemical and Biophysical Research Communications 342:1098-1107	
	21	International Preliminary Report on Patentability...International Bureau of WIPO on October 1, 2005 in connection with International Application No. PCT/AU2004/000416	
	22	Extended European Search Report issued December 27, 2007 in connection with European Application No. 05787106.3.	
	23	Supplementary European Search Report issued January 2, 2008 in connection with European Application No. 05754008.0.	
	24	November 13, 2007 Office Action issued in connection with U.S. Serial No. 11/169,875.	

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		First Named Inventor	Simmons et al.
		Art Unit	1644
		Examiner Name	M. Belyavskiy
Sheet 4	of 5	Attorney Docket Number 75990-B/JPW/BJA/LM	

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	25	January 8, 2008 Office Action issued in connection with U.S. Serial No. 11/326,736	
	26	January 8, 2008 Office Action issued in connection with U.S. Serial No. 10/551,162	
	27	January 10, 2008 Final Office Action issued in connection with U.S. Serial No. 10/955,709	
	28	April 4, 2008 Restriction Requirement issued in connection with U.S. Serial No. 10/551,326.	
	29	September 12, 2008 Office Action issued in connection with U.S. Serial No. 10/551,162.	
	30	October 16, 2008 Office Action issued in connection with U.S. Serial No. 10/955,709.	
	31	November 13, 2008 Office Action issued in connection with U.S. Serial No. 10/551,326.	
	32	November 17, 2008 Office Action issued in connection with U.S. Serial No. 11/326,736.	
	33	November 26, 2008 Office Action issued in connection with U.S. Serial No. 11/169,875.	
	34	June 22, 2009 Final Office Action issued in connection with U.S. Serial No. 10/551,162	

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	<b>First Named Inventor</b>		Simmons et al.
	<b>Art Unit</b>		1644
	<b>Examiner Name</b>		M. Belyavskiy
<b>Sheet</b> 5	<b>of</b> 5	<b>Attorney Docket Number</b> 75990-B/JPW/BJA/LM	

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